

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 13  
John Renzi, :  
Debtor. : Bankruptcy No. 17-17684-MDC

**ORDER**

**AND NOW**, upon consideration of the *Application for Compensation and Reimbursement of Expenses* (the “Fee Application”)<sup>1</sup> filed by Stephen M. Dunne (the “Applicant”), counsel to the Debtor, in which the Applicant requests the allowance of compensation in the amount of \$1,965.00.

**AND**, the Third Circuit Court of Appeals having held that the bankruptcy court “has a duty to review fee applications, notwithstanding the absence of objections by the United States Trustee . . . , creditors, or any other interested party, a duty which . . . derives from the court’s inherent obligation to monitor the debtor’s estate and to serve the public interest,” *In re Busy Beaver Bldg. Centers, Inc.*, 19 F.3d 833, 841 (3d Cir. 1994).

**AND**, the Applicant was not the Debtor’s initial counsel, having replaced the Debtor’s former counsel on April 13, 2018, after the Debtor’s bankruptcy petition was filed and after the Debtor’s Chapter 13 plan and required schedules and statements were filed.

**AND**, the Debtor’s former counsel did not file an application for compensation prior to or after withdrawing as the Debtor’s counsel.

**AND**, on August 16, 2018, the Debtor’s bankruptcy case was dismissed for failure to file documents.

**AND**, the Fee Application reflects undated time entries for services that may have been performed by the Debtor’s former counsel prior to his withdrawal.

It is hereby **ORDERED** that:

1. A ruling on the Fee Application is **DEFERRED**.

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<sup>1</sup> Bankr. Docket No. 32.

2. A hearing shall be held on **January 10, 2019, at 11:00 a.m., in Bankruptcy Courtroom No. 2, U.S. Bankruptcy Court, 900 Market Street, Philadelphia, PA** (the “Show Cause Hearing”), to consider whether, pursuant to 11 U.S.C. §330, this Court should award compensation that is less than the amount of compensation that is requested in the Fee Application.

3. At the Show Cause Hearing, the Applicant shall be prepared to address the services Applicant provided to the Debtor before and after replacing the Debtor’s former counsel on April 13, 2018.

Dated: December 5, 2018



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THE HONORABLE MAGDELINE D. COLEMAN  
UNITED STATES BANKRUPTCY JUDGE

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